

# **EXHIBIT E26**

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 COUNTY OF ALAMEDA

3 BEFORE THE HONORABLE BRAD SELIGMAN

4 DEPARTMENT 23

5 ---000---

6 TERESA ELIZABETH LEAVITT  
and DEAN J. MCELROY,

7 Plaintiffs,

No. RG17882401

8 vs.

9 JOHNSON & JOHNSON, et  
10 al.,

11 Defendants.

12 \_\_\_\_\_ /

13 REPORTER'S TRANSCRIPT OF TRIAL

14 (WILLIAM E. LONGO, Ph.D.)

15 Thursday, February 14, 2019

16 Full Session

17

18

19

20 Taken before EARLY K. LANGLEY  
RMR, RSA, B.A.  
CSR No. 3537

21

22

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1	E	Exhibit 17, Notebook - The 163		1	DX Summary report, Exposure to 109
2	52312	Analysis of Johnson & Johnson's Historical Baby Powder and Shower to Shower Products, 1960s to early 1990s for amphibole asbestos, W. Longo deposition 11/27/18 Leavitt		2	12136 Asbestos-Containing Vermiculite from Libby, Montana, at 28 Processing Sites in the U.S., 10/29/2008. ATSDR
3				3	
4				4	
5				5	DX MAS Analysis Report Project 150 11227 #14-1683, Johnson's Baby Powder Sample Set 4/28/17
6	E5236	Ex. 6, November 1, 2018 report entitled "Analysis of Dr. J. Abraham's Lung Tissue Digests from Teresa Leavitt's Lung Tissue Using FE-SEM and EDXA, deposition of W. Longo	167	6	DX Dr. Longo reports, March, 153
7				7	12212 August, November
8				8	DX TEM analysis, bulk analysis 178 12193 of Kaiser Gypsum joint compound by MAS
9				9	
10				10	DX Publication, "Asbestos Fibers in Ambient Air of California, Jack C. Murchio, W. Clark Cooper, Arturo DeLeon, 3/1/73
11				11	
12				12	
13				13	
14				14	
15				15	
16				16	
17				17	
18				18	
19				19	
20				20	
21				21	
22				22	
23				23	
24				24	
25				25	
		7			9
1		INDEX - (Pages 1-229)		1	APPEARANCES OF COUNSEL ON THE RECORD:
2		INDEX OF EXHIBITS		2	
3	DEFENDANT'S		ID EV WD	3	For the Plaintiffs:
4	DX 9686	Publication authored by Thomas Kremer of McCrone Associates and James Millette of Vander Wood associates in 1990	37	4	JOSEPH SATTERLEY DENYSE CLANCY
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7	DX 9995	Air Quality, Bulk Materials, Part 2: Quantitative determination of asbestos by gravimetric and microscopical methods; ISO 22262-22:2014	57	7	Jsatterley@kazanlaw.com Dclancy@kazanlaw.com
8				8	
9				9	MOSHE MAIMON Levy Konigsberg LLP 800 Third Avenue, 11th Floor
10	DX 9550	10/30/87 Interim TEM Analytical Methods to Determine Completion of Response Actions, 40 CFR, Part 763, Appendix A to Subpart E, US EPA AHERA Method 7-1-17 Edition	61	10	New York, NY 10022 (212) 605-6200
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12				12	For the Defendant Cyprus Mines Corporation:
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14	DX 9064	"Asbestos Standard" 30 CFR Ch. I (7-1-17 Edition) Section 71.702, Title 30, Vol. 1	68	14	BRADFORD DEJARDIN Dentons US LLP
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17	DX 12181	MSHA statements in Federal Register	69	17	SAMUEL JUBELIRER Dentons US LLP
18				18	1999 Harrison Street, 13th Floor Oakland, California 94612 (415) 882-5000
19	DX 9053	Document entitled "Selected Silicate Minerals and Their Asbestiform Varieties" published by Bureau of Mines 1977	78	19	Samuel.jubelirer@dentons.com
20				20	
21				21	
22	DX 9634	Ewing, Hayes, Hatfield, Longo and Millette, "Zonolite Attic Insulation Exposure Studies" Int. J. Occupational Health, 2010	108	22	
23				23	
24				24	
25				25	

<p>1      For the Defendants Johnson &amp; Johnson; Johnson &amp; Johnson      2      Consumer, Inc.:      3              NATHAN DULLUM      4              JERMAIN JONES      5              Orrick, Herrington &amp; Sutcliffe LLP      6              The Orrick Building      7              405 Howard Street      8              San Francisco, California 94105      9              (415) 773-5700      10             Ndnullum@orrick.com      11             Jjones@orrick.com      12             SHASHA Y. ZOU      13             Orrick, Herrington &amp; Sutcliffe LLP      14             51 West 52nd Street      15             New York, New York 10019      16             (212) 506-3676      17             Szou@orrick.com      18             MATTHEW ASHBY      19             Orrick Herrington &amp; Sutcliffe LLP      20             777 South Figueroa Street, Suite 3200      21             Los Angeles, California 90071      22             (213) 612-2257      23             Mashby@orrick.com      24             Gmoss@orrick.com      25             MICHAEL BROWN      26             SCOTT RICHMAN      27             Nelson Mullins Riley &amp; Scarborough LLP      28             100 South Charles Street, Suite 1200      29             Baltimore, Maryland 21201      30             (443) 392-9401      31             Mike.brown@nelsonmullins.com</p>	<p>10</p> <p>1      page 481 he was going to look for those documents. And      2      I see that the deposition was reconvened later. It      3      doesn't appear to me, unless I'm misreading it, that      4      the documents produced at the reconvened deposition had      5      to do with chrysotile.</p> <p>6              MR. MAIMON: They did not. And the agreement      7      at the end of the deposition of November 27th,      8      Your Honor, did not deal with those documents. What      9      happened is --</p> <p>10             THE COURT: Let me make sure I know which --      11             November 27th. That's the -- that's the agreement.</p> <p>12             MR. MAIMON: What happened is on page 370 and      13             onward, which counsel for J&amp;J according to the Court      14             to --</p> <p>15             THE COURT: Yes.</p> <p>16             MR. MAIMON: There was discussion about      17             chrysotile documents. At the conclusion or at the end      18             of the deposition, an agreement was reached between      19             counsel with regard to two specific documents, none      20             having anything to do with chrysotile. They had to do      21             with the -- as indicated on pages 480 and then 481,      22             Mr. Ashby at the bottom: "Okay. All right then.      23             Mr. Maimon and I talked about off the record the fact      24             that will be produced in the coming days" -- "that what      25             will be produced in the coming days is the Lee Poye</p>
<p>11</p> <p>1             --oo--</p> <p>2             <u>P R O C E E D I N G S</u></p> <p>3             --oo--</p> <p>4             Thursday, February 14, 2019 - 8:47 a.m.</p> <p>5             (Morning Session)</p> <p>6             (Whereupon, the following proceedings were held      7             outside the presence of the jury:)</p> <p>8             THE COURT: Folks. Folks.</p> <p>9             And, Dr. Longo, can I ask you to step outside,      10            please.</p> <p>11             THE WITNESS: Yes, sir.</p> <p>12             THE COURT: All right. Let me first start      13            with --</p> <p>14             Is the door shut?</p> <p>15             There was the Longo issue dealing with the      16             chrysotile. And I need a little help here. I have      17             just reviewed deposition testimony. To back up, the      18             issue at trial is whether we can talk about any      19             particular documents dealing with chrysotile; right?</p> <p>20             MR. ASHBY: Right.</p> <p>21             THE COURT: That's as to Johnson &amp; Johnson.      22             And I do see the deposition. There was his statement      23             that he would go back and see if he could find any      24             documents and if he was wrong about J&amp;J internal      25             documents, he'd withdraw it. And the agreement on</p>	<p>13</p> <p>1      report related to the 75 samples that were analyzed      2      under XRD and PLM." That's one document. As well as      3      Dr. Longo was going to endeavor to find documents that      4      were supporting his opinions about exposure data that      5      we had discussed at the previous deposition. That was      6      on the first day of the deposition. I indicated that      7      we'll produce those, and to the extent there was a need      8      felt by counsel for the defendants we would schedule a      9      follow-up deposition.</p> <p>10             That follow-up deposition was scheduled and did      11            take place on December 5, 2018, and, as indicated on      12            page 490, the indication was made that we had produced      13            the documents that were agreed to.</p> <p>14             And so, while we had a disagreement earlier in      15            the deposition about the chrysotile documents and      16            whether or not Johnson &amp; Johnson had many opportunities      17            to cross-examine Dr. Longo about them and we      18            resolved -- I mean, we agreed to disagree at that point      19            in the deposition.</p> <p>20             At the end of the deposition on November 27th,      21            Your Honor, there was an explicit agreement between      22            counsel about -- about specific documents that would be      23            produced and a follow-up deposition that would be held      24            on it. And no time subsequent to that did Johnson &amp;      25            Johnson follow up and say, oh, what about the</p>

146	148
<p>1 look at this, in only one of these grid openings, did      2 all of the analysts agree on what they saw as being a      3 fiber; true?</p> <p>4 A. That's what it states, yes.</p> <p>12:25:18 5 MR. ASHBY: Okay. You don't have to do that,      6 John.</p> <p>7 BY MR. ASHBY:</p> <p>8 Q. So -- so out of these -- and there's one, two,      9 three, four, five, six, seven, eight -- out of these      10 nine, where all of the analysts saw a structure, just      11 one out of nine times did they all say that that      12 structure was a fiber; right? That's what the report      13 states?</p> <p>14 A. That's what the -- that's what your chart      15 states, yes.</p> <p>16 MR. ASHBY: All right. You can take that down      17 now.</p> <p>18 BY MR. ASHBY:</p> <p>19 Q. So Dr. Longo, you would agree with me that in      20 science, you often have to pay attention to details to      21 know what's true and what's not true; correct?</p> <p>22 A. It's always good to pay attention to details,      23 yes.</p> <p>24 Q. And you would agree with me that it's very      25 important to be accurate when you're accusing somebody</p>	<p>1 Just answer the question, please.</p> <p>2 THE WITNESS: Yes, sir.</p> <p>3 THE COURT: No volunteering additional.</p> <p>4 BY MR. ASHBY:</p> <p>12:27:34 5 Q. All right. And let's move to Tab B2,      6 Plaintiffs' Exhibit E514 at page 492.</p> <p>7 MR. MAIMON: 492?</p> <p>8 MR. ASHBY: Yeah.</p> <p>9 MR. MAIMON: What tab?</p> <p>10 MR. ASHBY: Tab B2. Do you have it? I have it      11 in mine.</p> <p>12 BY MR. ASHBY:</p> <p>13 Q. Do you have it in yours, Dr. Longo, page 492?</p> <p>14 A. No.</p> <p>15 Q. -- B2?</p> <p>16 MR. MAIMON: I don't feel short-changed.</p> <p>17 MR. ASHBY: There you go (handing).</p> <p>18 THE WITNESS: I don't know if I am looking at      19 the right thing. I've got pages going up to      20 30-something.</p> <p>21 BY MR. ASHBY:</p> <p>22 Q. So this is Tab B2, which is your August -- now      23 we're at the -- we are not looking at the April 2017      24 anymore. We are looking at the August 2017. And this      25 is B2. I can give you my copy.</p>
147	149
<p>1 of selling baby powder with asbestos in it?</p> <p>2 MR. MAIMON: Objection, Your Honor.</p> <p>3 THE COURT: Sustained.</p> <p>4 BY MR. ASHBY:</p> <p>5 Q. All right. Well, let's talk about your      6 April 2017 preliminary report you gave to that lawyer.      7 That's Tab B1. And if we turn to page 29 --</p> <p>8 MR. ASHBY: John, can you put up --</p> <p>9 We are going to put up the photo on page 29.</p> <p>10 No objection?</p> <p>11 MR. MAIMON: No.</p> <p>12 BY MR. ASHBY:</p> <p>13 Q. -- this -- this is your April 2017 preliminary      14 analysis; true?</p> <p>15 A. True.</p> <p>16 Q. And the caption down here has labeled this,      17 "TEM Image of a Tremolite Fiber in Sample M66352-002."</p> <p>18 Right?</p> <p>19 A. That's the title on that header, yes.</p> <p>20 Q. Okay. Well, it says "tremolite fiber"; does it      21 not? Yes or no?</p> <p>22 A. It does say "tremolite fiber." It's a bundle,      23 but it says "fiber."</p> <p>24 MR. ASHBY: Okay. Move to strike, Your Honor.</p> <p>25 THE COURT: Strike the bundle.</p>	<p>1 A. Oh, 492?</p> <p>2 Q. Page 492.</p> <p>3 A. Yeah, I've got it.</p> <p>4 Q. All right.</p> <p>12:29:00 5 MR. ASHBY: John, could you put that up.</p> <p>6 BY MR. ASHBY:</p> <p>7 Q. So now we are looking at that same sample,      8 M66352-002; right?</p> <p>9 A. Yes.</p> <p>10 Q. And we're looking at Structure Number 1; right?</p> <p>11 A. That's correct.</p> <p>12 Q. I've highlighted Structure Number 1. Structure      13 Number 1 is the same one that we saw in April of 2017      14 that was written down as a tremolite fiber; right?</p> <p>15 A. Yes, on -- but not on the count sheet from that      16 time frame.</p> <p>17 Q. Well, we -- you remember, in April 2017, there      18 was no -- there were no backup data that was provided      19 with that report; right?</p> <p>20 A. That's right. It was a preliminary report.</p> <p>21 But the backup data, what the analyst called that      22 originally never changed.</p> <p>23 Q. Well, I -- okay. So you say.</p> <p>24 But what we looked at here is, by April -- by      25 August of 2017, we see that, in fact, that structure</p>

	150		152
1	that was in the April 2017 report as a fiber is now a 2 bundle; right?	1	Q. Is that a bundle or a fiber?
3	A. No.	2	A. For me sitting here and looking at the
4	MR. MAIMON: Objection.	3	two-dimensional photograph, it would be hard for me to
12:30:09 5	THE WITNESS: Look at the top there on the 6 right. See the "Date of analysis, 4/25/2017"? The 7 original data on the count sheet that the analyst saw 8 has never changed. Was there a typo on the preliminary 9 draft report? Absolutely.	4	say. But I wouldn't call one like this a fiber or a
10	(Whereupon, Defendant's Exhibit DX11227 was 11 marked for identification.)	5	bundle unless I were sitting at the microscope.
12	BY MR. ASHBY:	6	Q. Well, let's see what the analyst called it. If 7 we go to page 182, if we look at Structure 12, it 8 started as a fiber but was changed to a bundle; true?
13	Q. Okay. Let's look at another one. Let's go 14 back to Tab B1, DX11227. This is page 28.	9	A. That's true.
12:30:43 15	A. Hold on. Let me get there.	10	Q. All right. But we can do a comparison between 11 what was called bundles from these reports and what 12 were called bundles for these reports by comparing 13 pictures; can we not?
16	Q. So this is going to be another one of those 17 mistakes; right?	14	A. Comparing pictures?
18	MR. MAIMON: Objection, Your Honor.	15	Q. Yeah.
19	THE COURT: Overruled -- sustained.	16	A. A lot of these -- yes. A lot of these bundles 17 are very obvious. It's -- the ones that are -- you 18 have to have and look at it at a higher magnification 19 and go through, you really need to be sitting at the 20 microscope. And we accept the -- the analyst who was 21 doing that at that particular time.
12:30:56 20	BY MR. ASHBY:	22	Q. All right. And -- now back in March and August 23 of 2017 and April of 2017 -- or March 2018 and these 24 2017 reports, you called 53 percent of the structures 25 that you saw bundles in the eBay and collector bottles;
12:31:08 25	Q. And this is the April 2017 report; right?	12:34:13	
	151		153
1	A. Correct.	1	is that true?
2	Q. And you know if we go and look at the 3 August 2017 report, that that same fiber will be called 4 a bundle; right?	2	A. That I don't know.
12:31:20 5	A. Correct. But if you, again, look at the count 6 sheet, top left-hand corner, 4/3/2017 to 4/6/2017 -- 7 the microscopist who was analyzing this put down what 8 that structure is, a bundle. That has never changed.	3	Q. Maybe I can quickly refresh your recollection 4 with your own testimony. If you turn to Tab 25?
9	And, again, the preliminary report was a draft, 10 and that's why it was fixed when we got done with the 11 draft report.	12:34:29 5	A. I'm at Tab 25.
12	Q. All right. Now let's look at Tab B8. And this 13 is Plaintiffs' Exhibit E521. And if we turn to 14 page 182 --	6	Q. So page 3,673?
12:32:09 15	MR. ASHBY: Actually, John, why don't you start 16 with page 219.	7	A. 3,673. Line 4 to line 10.
17	THE COURT: What page did you say?	8	Q. Tab 25; right?
18	MR. ASHBY: 219.	9	A. You're right. I'm sorry. I thought it was a
19	THE WITNESS: Oh, 219.	12:35:34 10	little lower.
20	(Whereupon, Plaintiff's Exhibit E521 was marked 21 for identification.)	11	Q. Okay. All right. So we can agree now that 12 53 percent of what you saw back here for the March 2018 13 and before data it was 53 percent bundles; right?
22	BY MR. ASHBY:	14	A. Yes, sir.
23	Q. All right. So what we are looking at here is 24 Structure 12 from Sample 65D; correct?	15	Q. By November 2018, this data, you had 93 percent 16 bundles?
25	A. Correct.	17	A. That's correct.
12:32:28		18	Q. So it's an increase of 40 percent; true?
		19	A. That's true.
		20	Q. All right. I'm going to hand you --
		21	MR. ASHBY: Do we have an exhibit number? I'll
		22	mark these as Exhibit DX12212.
		23	(Whereupon, Defendant's Exhibit DX12212 was
		24	marked for identification.)
		25	BY MR. ASHBY:
		12:36:44	

154

1 Q. Can you take a look at those and tell me if  
 2 that looks like data from your August reports and your  
 3 November reports?

4 A. I'm sorry, for what reports?

12:37:07 5 Q. The one on the left would be the March report.  
 6 You can tell by the date of the picture. And the one  
 7 on the right would be the November report, because you  
 8 can tell by the date of the picture.

9 A. That's correct.

12:37:24 10 Q. Okay.  
 11 MR. ASHBY: Permission to publish?

12 MR. MAIMON: No objection.

13 THE COURT: You may.

14 BY MR. ASHBY:

12:37:35 15 Q. So here on the left we see a structure that was  
 16 called a fiber; right? We're looking at Structure 4  
 17 from this sample. M65205-001 is the sample.  
 18 Structure 4, which is this one down here; right?

19 A. That's correct.

12:37:55 20 Q. So that was a fiber. This structure here is  
 21 from November 2018. It's Structure 52D, Structure 4.  
 22 And that one was called a bundle; right?

23 A. Yes, sir.

24 Q. Here again -- this is in 2017. This structure  
 12:38:26 25 here is M65205-001, Structure 7.

155

1 That was labeled a fiber in 2017; right?  
 2 A. Yes, sir, it is.

3 Q. And then this structure here in 2018 is  
 4 M69248-003-004.

5 And that's a bundle; right?

6 A. Yes, sir, it is. At two completely different  
 7 magnifications.

8 Q. Okay. That's a fiber, that's a bundle; right?  
 9 A. Yes, sir. I agree with that.

10 Q. All right.  
 11 MR. ASHBY: The next one, John.

12 BY MR. ASHBY:  
 13 Q. Again, you'll agree with me that this is a  
 14 photo from 2017 taken at the MAS Lab, on the left?

12:39:22 15 A. Correct.  
 16 Q. That's labeled a fiber in 2017; right?  
 17 A. That's what it is.

18 Q. 2018, you would agree with me the one on the  
 19 right is a 2018 photo taken at the MAS Lab?  
 12:39:35 20 A. It is.  
 21 Q. And that was labeled a bundle; correct?  
 22 A. Yes, sir.  
 23 Q. You had shown some pictures, PLM pictures.  
 24 Those are the colored ones with the pink on them and it  
 25 had the -- what you called the bundles in them.

156

1 Do you remember that?

2 A. There's the pink, there's the dark field,  
 3 there's regular cross polar, so there's a number of  
 4 them there.

12:40:06 5 Q. It's just -- I think it's easier for everybody  
 6 to remember seeing the pink ones. That's why I said  
 7 that those were the PLM.

8 But, in any event, the PLM ones are the pink  
 9 ones; right?

12:40:17 10 A. Yes, sir. That's correct.

11 Q. You talked about seeing some pretty large  
 12 bundles by PLM, did you not?

13 A. I did.

14 Q. What you didn't tell us was that Lee Poye  
 12:40:28 15 looked at some of those same samples by PLM and didn't  
 16 find any asbestos in them; right?

17 A. That's correct. But you can't compare the two.

18 MR. ASHBY: Your Honor, I'll move to strike the  
 19 last part.

12:40:47 20 MR. MAIMON: I object, Your Honor.

21 THE COURT: Overruled.

22 BY MR. ASHBY:

23 Q. So what you told us was those were some big,  
 24 obvious-looking bundles that you saw by PLM; right?

12:41:08 25 So you said -- I can't remember. You said they

157

1 were like 300 to 1 aspect ratio, something like that;  
 2 right?

3 A. Not the bundles themselves. The individual  
 4 fibers in the bundles following the counting rules all  
 12:41:24 5 averaged 20 or 1 greater and some of them -- there were  
 6 so many individual fibers, we had one that got as high  
 7 as 300 to 1.

8 Q. Right. Okay. In any event, they were big,  
 9 though? There were some big microns like a hundred --  
 12:41:31 10 some of them are like a hundred microns or something;  
 11 right?

12 A. Hundred microns long. We had 70. Had some  
 13 higher than that, about 5 to 10 microns wide. But they  
 14 all were fibers.

12:41:44 15 Q. In any event, Lee Poye looked at some of the  
 16 same exact samples you did and didn't see any of those  
 17 big, obvious bundles, did he? He didn't report any  
 18 asbestos in the stuff he looked at; right?

19 A. No, he wouldn't because of the method he was  
 20 using compared to what we used.

21 Q. Well, he -- you used the ISO PLM method; right?  
 22 A. That's correct.

23 Q. Lee Poye also used the ISO PLM method; correct?  
 24 A. Correct. But it's still different on the  
 25 analysis we do. It has no resemblance to the average

	226		228
1	And then even further, Your Honor, the	1	factual basis provided by Ms. Leavitt that the numbers
2	undisputed testimony, even putting that aside, was that	2	are consistent with the kind of analysis that Dr. Longo
3	by the time Terry Leavitt came to the United States at	3	did and the jury is perfectly capable of modifying.
4	20 months old, she was no longer in diapers.	4	So the motion to strike is denied.
14:07:46	5 So there is no testimony to support the basis	14:10:22	5 MR. RICHMAN: Thank you, Your Honor.
6	of Dr. Longo's opinions with respect to the number of	6	MS. CLANCY: They're probably more capable than
7	times that the diapering occurred. So, given that, I'm	7	any of us. The jury is so smart.
8	renewing my original objection and moving to strike his	8	THE COURT: We are taking a break here. So
9	opinions regarding the number of diaperings.	9	we're done. Have a good time, everybody.
14:08:05	10 MS. CLANCY: She did say that she diapered her	10	
11	seven or more times per day. She did say that it was	11	(Whereupon, the proceedings
12	standard operating procedure. She said that it was a	12	were concluded at 2:10 p.m.)
13	procedure her mother had taught her how to do, that she	13	
14	expected that her mother did it while she was gone,	14	
14:08:22	15 while she wasn't there in the Philippines with her.	15	
16	And so circumstantial evidence would be that	16	
17	this is a procedure her mom taught her how to do. It	17	
18	was standard operating procedure. She had every	18	
19	expectation that her mother continued to do it. There	19	
14:08:37	20 was no contrary evidence that her mother did not do it	20	
21	while she was in the Philippines.	21	
22	So we have both actual eyewitness evidence that	22	
23	she diapered her seven or more times a day prior to her	23	
24	leaving in September of 1967 and we have circumstantial	24	
14:08:49	25 evidence that this occurred through, I think, I want to	25	
	227		
1	say April or May of '68. And then she said she was	1	STATE OF CALIFORNIA )
2	just getting out of diapers in May of '68.	2	) ss.
3	So, if anything -- and Dr. Longo explained his	3	COUNTY OF ALAMEDA )
4	math and said, what I was doing exactly was I was	4	
14:09:06	5 taking the number of times per day, multiplying it by	5	I, EARLY K. LANGLEY, do hereby certify:
6	the number of times in a year. So if it means,	6	That foregoing proceedings were held in the
7	therefore, then, that you take two months out of it,	7	above-entitled action at the time and place therein
8	that doesn't mean that you strike the whole testimony.	8	specified;
9	That would just mean that the jury is entitled to do	9	That said proceedings were taken before me at said
10	its own math and to say -- and they are entitled to	10	time and place, and was taken down in shorthand by me,
11	argue you got the math wrong because it was only	11	a Certified Shorthand Reporter of the State of
12	22 months that she was in diapers, and, therefore, he	12	California, and was thereafter transcribed into
13	said she should have said 24 months. But he explained	13	typewriting, and that the foregoing transcript
14	his whole math. He explained exactly what he was	14	constitutes a full, true and correct report of said
14:09:23	15 doing. That doesn't warrant striking testimony over	15	proceedings that took place;
16	that.	16	IN WITNESS WHEREOF, I have hereunder subscribed my
17	MR. SATTERLEY: Your Honor, there's a CACI	17	hand on February 14, 2019.
18	instruction that Your Honor gives on expert testimony	18	
19	that directly would apply to this.	19	
14:09:50	20 THE COURT: I think this goes to argument. He	20	
21	laid out his basis for doing it. I don't think that	21	
22	the -- I don't think his basis calls for a striking of	22	EARLY K. LANGLEY, CSR No. 3537
23	his testimony. It all goes to the weight and the	23	State of California
24	argument on it. I think he laid out what he did. I	24	
14:10:07	25 think there is -- arguably, the jury could find from a	25	